City of Marietta

Meeting Minutes

PUBLIC WORKS COMMITTEE

Grif Chalfant, Chairman
Philip M. Goldstein, Vice Chair
G. A. (Andy) Morris

Wednesday, February 26, 2014

Council Chamber

Immediately following the Economic/Community Development Committee Agenda

Presiding: Grif Chalfant
Present: Philip M. Goldstein and Andy Morris

Also Present:
R. Steve Tumlin, Mayor
Stuart Fleming, Council – Ward 1
Johnny Walker, Council – Ward 3
Anthony Coleman, Council – Ward 5
William F. Bruton, Jr., City Manager
Douglas R. Haynie, City Attorney
Stephanie Guy, City Clerk

CALL TO ORDER:

Chairman Chalfant called the meeting to order at 7:06 p.m.

MINUTES:

20140121   **Regular Meeting - January 30, 2014**

Review and approval of the January 30, 2014 regular meeting minutes.

Motion to approve with an amendment on page 2 regarding a disclosure by Council member Goldstein.

The motion was made by Council member Morris, seconded by Council member Goldstein, that this matter be Approved as Amended. The motion carried by the following vote:

Vote: 3 – 0 – 0   **Approved as Amended**

BUSINESS:

20140181   **2005 SPLOST TIP Summary**

Discussion on the 2005 SPLOST TIP Summary.

Reported

20140182   **2011 SPLOST TIP Summary**

Discussion on the 2011 SPLOST TIP Summary.

Reported

20140183   **2016 SPLOST**

Discussion and project selection for the proposed upcoming SPLOST Referendum.

Discussion was held regarding possible projects for the upcoming SPLOST Referendum. Staff was directed to bring back a detailed list of project that have not been completed.

Referred to the City Council Agenda Work Session.

20140185   **CCTP Short Term Work Plan**

Discussion and project selection for the Cobb County Transportation Plan Short Term Work Plan.

Referred to the City Council Agenda Work Session.

20140184   **Church Street Pedestrian Bridge Easement**

Wellstar request for a pedestrian bridge easement crossing Church Street.

Motion to move forward with the consideration of a request from Wellstar for a pedestrian bridge easement crossing Church Street, subject to the design of the bridge.

The motion was made by Council member Morris, seconded by Council member Goldstein, that this matter be Recommended for Council Agenda Non Consent. The motion carried by the following vote:

Vote: 3 - 0 - 0   **Recommended for Council Agenda Non Consent**

20140186   **East Worthington Speed Tables**

Discussion regarding upcoming speed table hearing to be held at the March City Council Meeting.

Referred to the City Council Agenda Work Session

20140187   **Proposed Radar Speed Signs on Franklin Road**

Discussion relative to adding radar speed signs at Franklin Road as requested by Council Member Goldstein.

A motion was made by Council member Chalfant, seconded by Council member Goldstein, that this matter be Recommended for Council Agenda Non Consent. The motion carried by the following vote:

Vote: 2 - 1 - 0   Recommended for Council Agenda Non Consent
Voting Against: Andy Morris

20140188   **RTOP Intergovernmental Agreement**

Discussion to amend the Regional Transportation Operations Program (RTOP) Intergovernmental Agreement with the Georgia Department of Transportation along State Route 120 east of Cobb Parkway.

A motion was made by Council member Morris, seconded by Council member Goldstein, that this matter be Recommended for Approval - Consent Agenda. The motion carried by the following vote:

Vote: 3 - 0 - 0   Recommended for Approval - Consent Agenda

Council member Goldstein left the dais during the discussion of agenda item 20140239.

20140239   **11 Whitlock Avenue**

Motion to direct the City Manager and the City Attorney to prepare and present the appropriate and standard License Agreement to the owner of 11 Whitlock Avenue which Agreement shall authorize the leasing of the ground and air encroachments currently encroaching on the public right-of-way. The Agreement shall contain the standard Indemnity Agreement as well as the standard insurance clause and all other clauses contained in the normal License Agreement executed by all parties in favor of the City of Marietta. The Agreement shall further provide that the city shall have not duty to maintain the encroaching property and shall have no duty to inspect the encroaching property either now or in the future. The owner shall have through and including May 14, 2014 to fully execute and return the document to the city. Further, as a requirement of this motion, the owner shall provide a current and accurate survey of the currently existing encroachments (ground and air) by the property upon the public right-of-way and same shall be submitted simultaneously with the executed License Agreement. In the event the Agreement is not fully executed by the owner and returned to the city by May 14, 2014, the owner shall remove each and every encroachment from the city right-of-way, including ground and/or air encroachments on or before June 11,

2014. In the event the owner does not remove each and every encroachment from the city right-of-way, including ground and/or air encroachments, city staff shall remove each and every encroachment from the city right-of-way after June 11, 2014 without further motion of the Mayor and Council. This motion is necessitated by the fact that the prior recipient of the License Agreement abandoned the premises and failed to notify the city or comply with the terms and conditions of the Agreement. In addition, the owner has taken no action to comply with the prior Agreement.

Philip Goldstein disclosed he owns (property) at 9 & 11 Whitlock Avenue. Councilman Goldstein will abstain from any action as a Councilman on this item.

Brief discussion was held. There was general agreement that this matter be forwarded to the Agenda Work Session for further discussion.

Referred to the CITY COUNCIL AGENDA WORK SESSION

ADJOURNMENT:

The meeting was adjourned at 8:41 p.m.

Respectfully submitted,

_____
Stephanie Guy, City Clerk

Approved: _____